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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,877	03/31/2004	Jack E. Caveney	LCB425	7371

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EXAMINER

FIGUEROA, FELIX O

ART UNIT PAPER NUMBER

2833

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/814,877

Applicant(s)

CAVENEY ET AL

Examiner

Felix O. Figueroa

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/31/04 & 9/13/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the V-shaped frame, as required by claims 42 and 43, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 17-20, 22-28, 30-37, 39-41 and 44-47 are rejected under 35 U.S.C.

103(a) as being unpatentable over Curry et al. (US 6,053,764) in view of Arnett (US 5,302,140).

Curry discloses a patch panel comprising: a frame (12) having a top flange and a bottom flange, the frame including a plurality of faceplate openings (23); a faceplate (14) mountable to the frame within the top flange (at 29) and the bottom flange (at 33), the faceplate having a plurality of mounting openings (16); and at least one modular jack (17) mountable into a rear side of the faceplate.

Curry discloses substantially the claimed invention except for the jack retention latch in the mounting opening. Arnett teaches a faceplate (30) having a mounting opening (16) and the mounting opening having at least one modular jack retention latch (59) to hold the connector secured to the faceplate. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the mounting opening of the faceplate with a retention latch, as taught by Arnett, to hold the connector secured to the faceplate.

Regarding claim 18, Curry, as modified, discloses substantially the claimed invention except for the specific number of faceplates. However, it would have been an

obvious matter of design preference to form the frame with any specific number of faceplates, in order to meet environmental and /or preference requirements, and since applicant has not disclosed that such number of faceplate solves any stated problem or is for any particular purpose.

Regarding claim 19, Curry, as modified, discloses the top flange of the frame having a plurality of apertures (27,28) and the bottom flange having a plurality of second apertures (31-32).

Regarding claim 20, Curry, as modified, discloses at least one of the first apertures receives at least one first faceplate retention latch (34,36), and at least one of the second apertures receives at least one second faceplate retention latch (37,38).

Regarding claim 22, Curry, as modified, discloses the frame includes indicia (not labeled, see Fig. 1 and 2) centered above each modular jack position.

Regarding claim 23, Curry, as modified, discloses the frame has a plurality of first mounting apertures (41) at a first end thereof and a plurality of second mounting apertures (41) at a second end thereof.

Regarding claim 24, Curry, as modified, discloses the faceplate being releasably mounted to the frame.

Regarding claim 25, Curry, as modified, discloses the faceplate being mounted into a rear side of the frame.

Regarding claim 26, Curry, as modified, discloses the faceplate has a top flange including at least one first faceplate retention latch (34,36) and a bottom flange including at least one second faceplate retention latch (37,38).

Regarding claim 27, Curry, as modified, discloses the top flange of the faceplate has at least one release arm (supporting the latch end).

Regarding claim 28, Curry, as modified, discloses the faceplate having (at least) four mounting openings (16).

Regarding claim 30, Curry, as modified by Arnett, discloses each mounting opening includes two modular jack retention latches (59).

Regarding claims 31 and 32, Curry, as modified by Arnett, discloses mounting opening includes a plurality of modular jack stops (perimeter walls) that define a lateral position of the modular jack; and the plurality of modular jack stops being disposed along a bottom flange of the faceplate.

Regarding claim 33, Curry, as modified, discloses substantially the claimed invention except for the specific number of jack mounting positions. However, it would have been an obvious matter of design preference to form the frame with any specific number of jack mounting positions, in order to meet environmental and /or preference requirements, and since applicant has not disclosed that such number of jack mounting positions solves any stated problem or is for any particular purpose.

Regarding claim 34, Curry, as modified by Arnett, discloses each modular jack mounting position including a plurality of modular jack stops (where protrusions 66 of Arnett abut).

Regarding claim 35, Curry, as modified, discloses the modular jack being releasably mounted to the faceplate.

Regarding claim 36, Curry, as modified, discloses each modular jack being mounted to the faceplate in the same orientation.

Regarding claim 37, Curry, as modified, discloses each modular jack is slidingly installed along a linear path into a mounted position in the faceplate.

Regarding claim 39, Curry, as modified, discloses substantially the claimed invention except for the specific number of jacks. However, it would have been an obvious matter of design preference to form the frame with any specific number of jacks within a rack unit, in order to meet environmental and /or preference requirements, and since applicant has not disclosed that such number of jack mounting positions solves any stated problem or is for any particular purpose.

Regarding claim 40, Curry discloses a patch panel comprising: a frame (12) having a plurality of faceplate openings (23), a faceplate (14) mountable into a rear side of the frame, the faceplate having a plurality of mounting openings (16); at least one modular jack (17) mountable into a rear side of the faceplate.

Curry discloses substantially the claimed invention except for the jack retention latch in the mounting opening. Arnett teaches a faceplate (30) having a mounting opening (16) and the mounting opening having at least one modular jack retention latch (59) to hold the connector secured to the faceplate. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the mounting opening of the faceplate with a retention latch, as taught by Arnett, to hold the connector secured to the faceplate.

Regarding claim 44, Curry discloses a method of assembling a patch panel comprising the steps of: providing a frame (12) having a top flange and a bottom flange, the frame including a plurality of faceplate openings (23); mounting a faceplate (14) having a plurality of mounting openings (16) within the top flange and the bottom flange, and mounting at least one modular jack (17) into a rear side of the faceplate. Curry discloses substantially the claimed invention except for the jack retention latch in the mounting opening. Arnett teaches a faceplate (30) having a mounting opening (16) and the mounting opening having at least one modular jack retention latch (59) to hold the connector secured to the faceplate. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the mounting opening of the faceplate with a retention latch, as taught by Arnett, to hold the connector secured to the faceplate.

Regarding claim 45, Curry discloses a method of assembling a patch panel comprising the steps of: providing a frame (12) having a plurality of faceplate openings (23), mounting a faceplate (14) having a plurality of mounting openings (16) into a rear side of the frame; and mounting at least one modular jack (17) into a rear side of the faceplate. Curry discloses substantially the claimed invention except for the jack retention latch in the mounting opening. Arnett teaches a faceplate (30) having a mounting opening (16) and the mounting opening having at least one modular jack retention latch (59) to hold the connector secured to the faceplate. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was

made to form the mounting opening of the faceplate with a retention latch, as taught by Arnett, to hold the connector secured to the faceplate.

Regarding claim 46, Curry discloses the modular jack being slidably installed along a linear path into a mounted position in the faceplate.

Regarding claim 47, Curry discloses mounting the patch panel (by 41) to a network rack.

Claims 21 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curry in view of Arnett, and further in view of Rutkowski et al. (US 5,639,261).

Curry, as modified, discloses substantially the claimed invention except for the center bar. Rutkowski teaches the use of a center bar in order to define vertically aligned faceplate opening and thus reduce the total assembly time for the patch panel. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the patch panel of Curry with a center bar, as taught by Rutkowski, to define vertically aligned faceplate opening and thus reduce the total assembly time for the patch panel.

~~Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Curry in~~
view of Arnett, and further in view of Gutierrez et al. (US 6585,540).

Curry, as modified, discloses substantially the claimed invention except for mounting opening accommodating two jacks. Gutierrez teaches mounting openings accommodating two jacks in order to simplify the faceplate construction. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention

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was made to form the mounting openings accommodating two jacks, as taught by Gutierrez, to simplify the faceplate construction.

Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. (US 5,129,842) in view of Arnett (US 5,302,140).

Morgan discloses a faceplate assembly comprising: a faceplate (22) having a plurality of mounting openings (not labeled); and at least one modular jack (60) slidably installable along a linear path into a mounted position in the faceplate, wherein each mounting opening further includes guides (the perimeter walls) that define a lateral position of an installed modular jack. Morgan discloses substantially the claimed invention except for the jack retention latch in the mounting opening. Arnett teaches a faceplate (30) having a mounting opening (16) and the mounting opening having at least one modular jack retention latch (59) to hold the connector secured to the faceplate. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the mounting opening of the faceplate with a retention latch, as taught by Arnett, to hold the connector secured to the faceplate.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 42 and 43 are rejected under 35 U.S.C. 102(b) as being anticipated by Morgan et al.

Morgan discloses a patch panel comprising: a frame (Fig.6) having two panel sections angled outwardly in an inverted V-shape; a faceplate (22) mountable to the frame; and at least one modular jack (not labeled in Fig.6) mountable to the faceplate.

Regarding claim 43, Morgan discloses patch panel comprising: a frame (Fig.6) having two panel sections angled outwardly in an inverted V-shape; a faceplate (22) mountable to the frame; and at least one modular jack (not labeled) slidably installable along a linear path into a mounted position in the faceplate.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (571) 272-2003. The examiner can normally be reached on Mon.-Fri., 10:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 Ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR)-system. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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